

The question was taken.

Mr. CUMMINGS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 2675, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDING FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 TO AUTHORIZE TRANSFER TO STATE AND LOCAL GOVERNMENTS OF CERTAIN SURPLUS PROPERTY FOR USE FOR LAW ENFORCEMENT OR PUBLIC SAFETY PURPOSES

Mr. HORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 404) to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to State and local governments of certain surplus property for use for law enforcement or public safety purposes, as amended.

The Clerk read as follows:

H.R. 404

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO TRANSFER CERTAIN SURPLUS PROPERTY FOR USE FOR LAW ENFORCEMENT OR FIRE AND RESCUE PURPOSES.

Section 203(p)(1) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(p)(1)) is amended—

(1) by inserting "that is" after "personal property"; and

(2) by inserting "or that is or was part of a military installation that has been closed or realigned pursuant to a base closure law and that is determined by the Attorney General to be needed for use by the transferee or grantee for a law enforcement or fire and rescue purpose approved by the Attorney General" before the first period.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. HORN] and the gentleman from Maryland [Mr. CUMMINGS] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, the Federal Government owns an enormous amount of property, including some property that it no longer needs. H.R. 404 simplifies the process by which State and local

governments are permitted to receive surplus Federal property on military bases for the benefit of their law enforcement and fire and rescue functions.

In making this simplification, H.R. 404, authored by the gentleman from California [Mr. CALVERT], both contributes to important State and local government functions and eases an administrative burden on the Federal Government. In 1949, the Commission on Organization of the Executive Branch of the Government, known as the first Hoover commission, appointed by President Truman, recommended the creation of an agency, the General Services Administration, GSA, to coordinate purchases, utilization and disposal of real and personal property for the Federal Government.

The Federal Property and Administrative Services Act of 1949 set forth the rules for the disposal of surplus Federal real estate. Normally, when one agency no longer needs property, the General Services Administration screens the excess property to determine whether another Federal agency needs it. If not, the property is declared surplus.

The Federal Property Act created a series of public benefit discounts whereby local governments can obtain surplus Federal real estate for a price below market value, generally at no cost. The current categories of public benefit discounts for real property include public health, education, recreation, national service activities, historic monuments, correctional facilities, and shipping ports, only in the base closure facilities.

The bill before us creates a new public benefit discount by expanding the definition of public benefit discounts for "correctional facilities" to cover "other law enforcement" and "fire and rescue" activities.

On June 3, 1997, the Subcommittee on Government Management, Information and Technology, which I chair, held a hearing on H.R. 404. Officials from Riverside County, CA, testified that they wanted to place a coroner's office and a law enforcement and fire training academy on surplus Federal property at the March Air Force Base. That surplus property became available through the actions of the Defense Base Realignment and Closure Commission.

The county officials observed that to receive the land for these purposes, they would have to go through the application process with two Federal agencies, the Department of Education for the training academy and the Department of Health and Human Services for the coroner's office. With H.R. 404, the process would be consolidated. Both functions would fall under the expanded definition of correctional facilities and, therefore, would be handled by the Department of Justice.

On June 26, 1997, the Subcommittee on Government Management, Information and Technology marked up H.R.

404. The subcommittee considered an amendment in the nature of a substitute that made technical corrections to the bill as introduced and voted unanimously to forward the substitute version to the full Committee on Government Reform and Oversight.

The full committee voted unanimously to report H.R. 404 to the House on September 30. There was a minor amendment made to the bill after it was reported to the Committee on Government Reform and Oversight. This amendment limits the application of this authority to military facilities closed under the Base Realignment and Closure Act. The change was necessary in order to ensure that no Budget Act point of order lay against the bill.

The amendment will not substantially alter the effect of the bill because closed military bases constitute over 90 percent of surplus Federal real property.

In conclusion, Mr. Speaker, we should note that this bill is a step toward making the Federal Government more efficient in its own processes and also more responsive to local needs. I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I commend the gentleman from California [Mr. HORN] for bringing before the House this bill to amend the Federal Property and Administrative Services Act of 1949. The gentlewoman from New York [Mrs. MALONEY], the ranking Democrat on the Subcommittee on Government Management, Information and Technology, has been detained in her district and asked me to manage this bill, which I gladly do.

The Committee on Government Reform and Oversight has jurisdiction over the Federal Property Act. It has a long history of overseeing its proper implementation. Under the Federal Property Act, State and local governments may acquire real estate that the Federal Government no longer needs. The Federal Property Act currently allows such surplus Federal property to be transferred to State and local governments at discounts of up to 100 percent of fair market value for certain public benefit purposes.

Current public benefit discount uses include public health or educational uses, public parks or recreational areas, historic monuments, correctional institutions, port facilities, public airports and wildlife conservation.

The original version of H.R. 404 would have added to that list "law enforcement or public safety purposes." Legitimate concern was expressed at our hearing on this legislation over the vagueness of the phrase "public safety purposes." During our committee's consideration of the bill, this problem was corrected by submitting "fire fighting and rescue purposes" for "public safety purposes." We also deleted an unnecessary retroactive provision. I support both of these changes.